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2-13-04 *[initials]* 3736

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : JACKOWSKI et al.  
INVENTION : METHOD FOR DIAGNOSING AND  
DISTINGUISHING TRAUMATIC BRAIN INJURY  
AND DIAGNOSTIC DEVICES FOR USE THEREIN  
SERIAL NUMBER : 09/940,698  
FILING DATE : August 27, 2001  
EXAMINER: : (not assigned yet)  
GROUP ART UNIT : 3736  
ATTORNEY DOCKET NO. : 2132.022

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TECHNOLOGY CENTER R3700

TRANSMITTAL LETTER

CERTIFICATE UNDER 37 CFR 1.8(a)  
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P.O. Box 1450, Alexandria, VA 22313-1450 on 7-10-03

*Susan Hess*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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TECH CENTER 1600/2900

Sir:

Please find enclosed for filing:

- X Supplemental Information Disclosure Statement
- X Certification Pursuant to 37 C.F.R. §1.97(e)
- X Copy of International Search Report
- X PTO-1449
- X References

Date:

*7/9/2003*

Respectfully submitted,

*Ferris H. Lander*

Ferris H. Lander  
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CERTIFICATION PURSUANT TO 37 C.F.R. §1.97 (e)

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Susan Hess

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TECH CENTER 1600/2900

Sir:

In accordance with 37 C.F.R. §1.97(e), Applicants hereby certify that each item of information contained in the accompanying Supplemental Information Disclosure Statement filed concurrently herewith was cited in a communication from a foreign patent office, namely an International Search Report for a counterpart European patent application, not more than three months prior to the filing of the accompanying Supplemental Information Disclosure Statement.

Accordingly, pursuant to 37 C.F.R. §1.97(e), Applicants request consideration and entry of the Supplemental Information Disclosure Statement.

Date: 7/9/2003

Respectfully Submitted,

Ferris H. Lander

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INVENTION

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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

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*Suzanne Hess*

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the Duty to Disclose under 37 C.F.R. §1.56, the references cited on the accompanying form PTO-1449 are hereby brought to the attention of the Examiner for independent evaluation. A copy of each reference is enclosed. The references were cited in an International Search Report of the European Patent Office in the corresponding patent application.

A copy of the International Search Report is also enclosed, which satisfies the requirement for a concise statement of relevancy pursuant to M.P.E.P. §609 (1995).

Applicants submit that the present invention is patentable over these references.

Date:

*7/9/2003*

Respectfully Submitted,

*Ferris H. Lander*

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